

JAN - 3 2019

BY: JULIA C. DUDLEY, CLERK
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

TERRENCE LEE KIRBY,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 4:17-cv-00060

ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

Before me is the Report and Recommendation ("R&R") of the United States Magistrate Judge recommending that I deny the Commissioner's Motion for Summary Judgment, reverse the Commissioner's final decision, and remand this case for further administrative proceedings. The R&R was filed on November 13, 2018, and the parties had fourteen (14) days to file objections. No objections were filed. Accordingly, it is **ORDERED** and **ADJUDGED** that the R&R [ECF No. 19] shall be, and hereby is, **ADOPTED** in its entirety. Plaintiff's Motion for Summary Judgment/Motion to Remand [ECF No. 13] is **GRANTED**, the Commissioner's Motion for Summary Judgment [ECF No. 17] is **DENIED**, the final decision of the Commissioner is **REVERSED**, and this matter is **REMANDED** to the Commissioner for further administrative proceedings consistent with the R&R. The clerk is directed to remove this case from the active docket of the court.

The clerk is directed to send a copy of this Order to all counsel of record and to Magistrate Judge Hoppe.

ENTERED this 3rd day of January, 2019.



SENIOR UNITED STATES DISTRICT JUDGE